

FIFTY-SECOND DAY.

SENATE CHAMBER,
AUSTIN, March 13, 1889.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Woodward,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator McDonald,

Senator Armistead was excused until to-morrow, on account of important business.

PETITIONS AND MEMORIALS.

By Senator Tyler:

Resolution of Mount Vernon Alliance, in Bell county, favoring a railroad commission bill.

Referred to Committee on Internal Improvements.

By Senator Upshaw:

A petition from citizens of Hill county, in favor of the passage of a bill prohibiting the planting of Johnson grass seed.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

By Senator Glasscock:

COMMITTEE ROOM,
AUSTIN, March 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

A minority of your Judiciary Committee No. 1, to whom was referred

House bill No. 560, entitled "An act to diminish the civil jurisdiction of the county court of Travis county, dissenting from a majority of said committee who reported said bill favorably, would state that we are opposed to the civil jurisdiction being taken from the said county court of Travis county.

First—Because there is no necessity for such a change.

Second—The district court of Travis county is now crowded with cases, so much so that at this session of the Legislature two weeks were taken from the district court of Williamson county and added to Travis in order to relieve the crowded condition of the docket of the Trav-

is county district court and owing to the fact that the district court of Travis county has such an extended jurisdiction by reason of being at the seat of government, such a change as contemplated would retard the trial of cases.

Third. The movement for such a change comes mainly from those who entertain ill feelings against the present county judge.

Fourth. An inspection of the docket in the Court of Appeals discloses the fact that each of thirteen cases appealed and disposed of from the county court of Travis county within the last two years, only one case was reversed.

Fifth. In view of all the facts and surroundings, we therefore recommend that said bill do not pass.

All of which is respectfully submitted.

GLASSCOCK,
For Minority.

By Senator Upshaw:

COMMITTEE ROOM,
AUSTIN, March 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on State Asylums, to whom was referred

House bill No. 156, entitled "An act to provide for the purchase of a site for and the establishment, location and construction of an asylum in Southwestern Texas for the care and treatment of the insane, and to make an appropriation therefor,"

Have had the same under consideration and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

UPSHAW,
Acting Chairman.

Bill read first time.

Senator Johnson sent up the following:

COMMITTEE ROOM,
AUSTIN, March 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

Senate bill No. 346, entitled "An act to define the Fourth Judicial district of the State of Texas, to prescribe the times for holding the terms of the district court therein, to provide for the appointment and election of the district judges and district attorneys in said districts, and to repeal all laws

and parts of laws in conflict therewith,"

Have had the same under consideration and instruct me to report it back to the Senate with the recommendation that it do pass.

The provisions of the bill are set forth in the title.

All of which is respectfully submitted.

MCDONALD,
Acting Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, March 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

Senate Bill No. 347, entitled "An act to create the Forty-eighth judicial district of the State of Texas to fix the time for holding court therein, and to provide for the appointment and election of judges and district attorneys in the same, and to repeal all laws and parts of laws in conflict therewith,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

For the provisions of the bill see caption.

All of which is respectfully submitted.

MCDONALD,
Acting Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, March 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

Senate bill No. 348, entitled "An act to prescribe the times for holding the terms of district court in the Seventh judicial district, and to repeal all laws and parts of laws in conflict therewith,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

The caption contains the provisions of the bill.

All of which is respectfully submitted.

MCDONALD,
Acting Chairman.

Bill read first time.

By Senator Field:

COMMITTEE ROOM,
AUSTIN, March 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Mining, Irrigation and Geology, to whom was referred

Substitute House bill No. 298, entitled "An act to encourage irrigation and to provide for the acquisition of the right to the use of water, and for the construction and maintenance of canals, ditches, flumes, reservoirs and wells for irrigating and for mining, milling and stockraising in the arid districts of Texas,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass with the attached amendments.

All of which is respectfully submitted.

FIELD,
Chairman.

Bill read first time.

COMMITTEE AMENDMENTS TO SUBSTITUTE HOUSE BILL NO. 298.

First. In section 11, line 1, strike out the words "and associations."

Second. In section 12, line 17, add after the words "regular session," the following: "And at each regular session thereafter."

Third. In section 13, line 2, strike out the words "of persons."

Fourth. Section 14, lines 2 and 3: Add after the word "appurtenances" the words "well or reservoirs."

Fifth. Section 15: After the word "State" in line 3, insert the following: "or the provisions of this act."

Sixth. Section 15: Insert the word "lands" in line 5, after the word "acquire."

BILLS AND RESOLUTIONS.

By Senator Frank:

"An act to amend article 420, Code of Criminal Procedure, and to provide for carrying the same into effect by adding thereto articles 420a and 420b."

[The bill provides for the better protection of the Capitol grounds and the State cemetery.]

Referred to Judiciary Committee No. 2.

By Senator Abercrombie, by request:

"An act to compel all corporations for profit, chartered by any law of this State, or doing business in this State, to pay the wages of their em-

ployes promptly and fixing amount of liquidated damages for failure to pay same."

Referred to Judiciary Committee No. 1.

The President after having publicly read their titles gave notice of signing, and did sign, in open session of the Senate.

House bill No. 7, "An act to amend sections 7, 14, 15, 23 and 33 of the charter of the city of Houston."

Substitute House bill No. 138, "An act to create the county of Coke out of Tom Green county, and to provide for its organization."

And

Substitute House bill No. 355, "An act to amend an act entitled an act to amend section 16 of an act entitled an act to redistrict the State of Texas into judicial districts and fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, approved March 30, 1885, approved March 30, 1887."

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I am directed to inform the Senate that the House has passed the following bills, to wit:

Substitute House bill No. 348, a bill to be entitled "An act to amend section 1 of an act to provide for the sale of such appropriated public lands situated in organized counties of the State of Texas, as contain not more than six hundred and forty acres, approved March 29, 1889," by a two-thirds vote—yeas, 76; nays, 2; and

House bill No. 233, a bill to be entitled "An act to amend section 11 of an act to establish the University of Texas, approved March 30, 1881," under the suspension of the constitutional rule, by a vote of yeas, 60; nays, 18.

W. M. IMBODEN,
Chief Clerk House of Representatives.

On motion of Senator Kimbrough, the House was requested to return to the Senate

Senate bill No. 299, a bill to be entitled "An act to amend article 2401 of

chapter 3, title 42, of the Revised Civil Statutes."

On motion of Senator Claiborne, the House was requested to return

House bill No. 36, a bill to be entitled "An act to amend section 46, chapter 25 of the acts of 1885, entitled an act to amend chapter 79 of the acts of 1883, entitled an act to amend chapter 48 of the acts of 1887. An act to amend section 46 of an act to encourage stockraising and to protect stockraisers, approved April 22, 1879, and amended April 4, 1881, and April 12, 1883, and March 27, 1887."

The President appointed Senator Townsend in lieu of Senator Stephens (absent on committee) on the conference committee to consider

Senate substitute for House bill No. 33, a bill to be entitled "An act to add articles 689 and 689a, to chapter 3, title 17, of the Penal Code of the State of Texas."

Senator Pope entered a motion to reconsider the vote by which the Senate ordered engrossed

Substitute Senate bill 169, a bill to be entitled "An act to provide for the survey, classification and disposition of the lands embraced in chapter 19 of the General Laws of the Sixteenth Legislature, approved February 25, 1879."

Also to reconsider the vote by which the Senate ordered engrossed.

Senate bill No. 211, a bill to be entitled "An act to regulate railroads doing business in the State of Texas, to fix maximum rates of freight charges on all classes of freights, to compel all such railroad companies to establish classification on all kinds of freights, and to divide all freights in classes ranging from one to ten inclusive, to prevent unjust discrimination and extortion, and to classify certain articles of freight in appropriate classes, and to repeal all laws and parts of laws in conflict herewith."

Also to reconsider the vote adopting Senator Fields' amendments to

Substitute House bills Nos. 9, 117, 136, 193 and 313, a bill to be entitled "An act to define trusts and to provide for penalties and punishments of corporations, persons, firms and associations of persons connected with them and to promote free competition in the State of Texas."

On motion of Senator McDonald,

Substitute House bills Nos. 245 and 279, "An act to prescribe the place and time of sale of all real estate hereafter to be sold under powers conferred by any deed of trust or contract lien,

Was laid before the Senate, and read the second time, with a committee amendment.

The committee amendment was adopted, and

The bill, as amended, was ordered engrossed.

On motion of Senator Upshaw, House concurrent resolution "providing for a joint committee of ten to prepare a road bill,"

Was laid before the Senate, read the second time and ordered engrossed.

Senator Upshaw moved to suspend the constitutional rule to put the resolution on its third reading and final passage.

Lost by the following vote:

YEAS—24.

Abercrombie,	Jarvis,
Allen,	Johnson,
Burges,	Kimbrough,
Burney,	Lane,
Claiborne,	McDonald,
Cranford,	Pope,
Field,	Seale,
Finley,	Simkins,
Frank,	Townsend,
Glasscock,	Tyler,
Harrison,	Upshaw,
Ingram,	Woodward.

NAYS—None.

On motion of Senator Abercrombie, Senate joint resolution No. 16, amending article 10, section 2, of the Constitution of the State of Texas,"

Was taken up out of its regular order, and

Read the second time.

Senator Abercrombie moved to

Amend by inserting in blank "day of the next general election for State and county officers."

Adopted.

Senator Abercrombie moved to

Amend section 2, line 6, by inserting after the word "amendment" the words "to article 10, section 2 of the constitution."

Senator Abercrombie offered the following amendment:

After the word "write" wherever it occurs in section 2, insert "or have printed."

Adopted.

The resolution as amended was ordered engrossed by the following vote:

NAYS—21.

Abercrombie,	Burney,
Burges,	Claiborne,

Field,
Finley,
Frank,
Glasscock,
Harrison,
Ingram,
Jarvis,
Kimbrough,
Lane,

McDonald,
Pope,
Seale,
Simkins,
Townsend,
Tyler,
Upshaw,
Woodward.

NAYS—3.

Allen,
Cranford,

Johnson.

The following reasons were sent to the Secretary's desk:

I vote "no" because I think the Constitution is already sufficiently explicit in its provisions, and the submission would be but creating unnecessary expense to the State. I am furthermore satisfied that if the unconstitutionality of a railroad commission law had been the only argument urged, there would have been little trouble in the present Legislature in establishing it.

ALLEN.

I vote for this amendment not because I doubt the power of the Legislature to pass a commission bill, but to ascertain the will of the people of Texas upon this question.

SIMKINS.

We vote "aye" on the engrossment of this resolution, not that we deem the constitutional amendment necessary, but believe the Constitution, as it now is, authorizes all necessary legislation on the subject, including a commission, but as many have doubts and conscientious scruples on the subject, hence we are willing to vote for the amendment and make the organic law so plain that a wayfaring man need not err therein.

FRANK,
FIELD.

Senator Jarvis moved to suspend the regular order of business and take up

Senate bill No. 123, a bill to be entitled "An act making appropriations for the support of the State government for the years beginning March 1, 1889, and ending February 28, 1891, and for other purposes."

Adopted by the following vote:

YEAS—20.

Abercrombie,	Cranford,
Allen,	Field,
Burges,	Finley,
Burney,	Frank,
Claiborne,	Harrison,

Ingram,
Jarvis,
Lane,
McDonald,
Pope,

Seale,
Simkins,
Townsend.
Upshaw,
Woodward.

NAYS—4.

Glasscock,
Johnson,

Kimbrough,
Tyler.

The bill was laid before the Senate and read the second time with committee amendments.

Senator McDonald moved to consider the committee amendments by departments.

Adopted.

Senator Woodward offered the following resolution:

Resolved, That the morning sessions of the Senate be devoted to the consideration of the appropriation bill.

Ordered to lie over one day.

EXECUTIVE OFFICE.

The committee amendments were adopted.

STATE DEPARTMENT.

The committee amendment was adopted.

TREASURY DEPARTMENT.

The committee amendments were adopted.

COMPTROLLER'S DEPARTMENT.

The first committee amendment was adopted.

Senator Tyler moved to table the second committee amendment (lines 3 and 4, page 20.)

Lost.

The amendment was lost by the following vote:

YEAS—11.

Abercrombie,
Allen,
Burney,
Frank,
Ingram,
Jarvis,

Johnson,
Kimbrough,
McDonald,
Simkins,
Townsend.

NAYS—12.

Burges,
Clalborne,
Cranford,
Field,
Finley,
Glasscock,

Lane,
Pope,
Seale,
Tyler,
Upshaw,
Woodward.

ABSENT—1.

Harrison.

The third, fourth and fifth committee amendments were adopted

GENERAL LAND OFFICE.

The committee amendment was adopted.
(Senator Burney in the chair.)

ATTORNEY GENERAL'S OFFICE.

The committee amendment was adopted.

ADJUTANT-GENERAL'S OFFICE.

The first committee amendment was adopted.

Senator Frank moved to Amend the second committee amendment by striking out "fuel and," and "\$150 \$150" and insert "\$50 \$50."

Senator Townsend moved to Amend Senator Frank's amendment by inserting "ice and ice cream \$50." Lost.

Senator Frank's amendment to the committee amendment was adopted, and the second committee amendment, as amended, was adopted.

(The President in the chair.)

DEPARTMENT OF INSURANCE STATISTICS, ETC.

The committee amendments were adopted.

SUPREME COURT.

The committee amendments were adopted.

COMMISSION OF APPEALS.

The committee amendment was adopted.
(Senator Pope in the chair.)

COURT OF APPEALS.

The committee amendments were adopted.

JUDICIAL DEPARTMENT.

The committee amendment was adopted.

SUPERINTENDENT PUBLIC BUILDINGS AND GROUNDS.

The committee amendments were adopted.

PENSION DEPARTMENT.

The committee amendment was adopted.

STATE LUNATIC ASYLUM.

On motion of Senator Frank the first amendment was tabled.

The second and third committee amendments were adopted.

Senator Townsend offered the following amendment to the fourth committee amendment:

Strike out the word "carpenter," in line 17.

Lost.

The fourth, fifth and sixth committee amendments were adopted.

The seventh committee amendment was adopted by the following vote:

YEAS—19.

Abercrombie,	Jarvis,
Allen,	Johnson,
Burges,	Kimbrough,
Burney,	McDonald,
Cranford,	Pope,
Field,	Townsend,
Frank,	Tyler,
Glasscock,	Upshaw,
Harrison,	Woodward.
Ingram,	

NAYS—5.

Claiborne,	Seale,
Finley,	Sinkins.
Lane,	

Senator Lane moved to reconsider the vote by which the sixth committee amendment was adopted.

The eighth, ninth, tenth and eleventh committee amendments were adopted.

NORTH TEXAS INSANE ASYLUM.

The first and second committee amendments were adopted.

Senator Jarvis moved to amend the third committee amendment by striking out "forty thousand dollars" in line 21, last column, and insert "sixty thousand dollars."

Adopted.

The third committee amendment as amended was adopted.

The fourth committee amendment was adopted.

DEAF AND DUMB ASYLUM.

The committee amendments were adopted;

BLIND ASYLUM.

The committee amendments were adopted.

ORPHAN ASYLUM.

The committee amendment was adopted.

REFORMATORY.

The committee amendments were adopted.

STATE PENITENTIARIES.

The committee amendment was adopted.

AGRICULTURAL AND MECHANICAL COLLEGE.

On motion of Senator Field,
Action on the committee amendments to this department was postponed.

ASSESSORS' FEES.

The committee amendments were adopted.

DEPARTMENT OF EDUCATION.

The committee amendment was adopted.

MISCELLANEOUS.

The committee amendments were adopted.

Senator Kimbrough moved to take up the bill as amended and consider by departments.

Adopted.

On motion of Senator Woodward,
The Senate adjourned till 2:30 p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

No quorum present.

Senator Pope moved a call of the Senate.

Call sustained.

Absent—Senators Burges, Claiborne,

Harrison, Johnson, Seale and Simkins.

The Sergeant-at-Arms was dispatched to bring in the absent Senators.

Senators Simkins, Harrison and Johnson were announced at the door.

The President declared a quorum present.

And on motion of Senator Jarvis, the call was suspended.

Senator Pope withdrew his motion, entered this morning, to reconsider the vote by which Senate bill No. 211 was ordered engrossed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—In compliance with the request of the Senate, I herewith return, by the direction of the House, the following bills, to-wit:

Senate bill No. 299, "An act to amend article 2401 of chapter 3, title 42, of the Revised Civil Statutes."

Also

House bill No. 36, "An act to amend section 46, chapter 25, of the acts of 1885, entitled an act to amend chapter 79 of the acts of 1883, entitled an act to amend chapter 48 of the acts of 1887, an act to amend section 46 of an act to encourage stockraising and to protect stockraisers, approved April 22, 1879, and amended April 4, 1881, and April 12, 1883, and March 27, 1887."

W. M. IMBODEN,

Chief Clerk House of Representatives.

The President referred

Substitute House bill No. 348, to Committee on Public Lands.

House bill No. 233, to Committee on Education.

House bill No. 82, to Committee on Judicial Districts, and

House bill No. 36, to Committee on Stock and Stockraising.

Senator Cranford sent up the following privileged report:

COMMITTEE ROOM,
AUSTIN, March 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Substitute Senate bill No. 211, being "An act to regulate railroads doing

business in the State of Texas, to fix maximum rates of freight charges on all classes of freights, to compel all such railroad companies to establish classification on all kinds of freights, and to divide all freights in classes ranging from one to ten inclusive, to prevent unjust discrimination and extortion, and to classify certain articles of freight in appropriate classes, and to repeal all laws and parts of laws in conflict herewith,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

By leave,

Senator Kimbrough sent up

A bill to be entitled "An act to amend section 25 of an act entitled an act to grant a new charter to the city of Dallas, passed by the Twenty-first Legislature and approved March 13, 1889."

Referred to the Committee on State Affairs.

Substitute House bills Nos. 9, 117, 136, 192, and 313, a bill to be entitled "An act to define trusts, and to provide for penalties and punishment of corporations, persons, firms and associations of persons connected with them, and to promote free competition in the State of Texas,"

Was laid before the Senate and read the third time.

Senator Pope called up his motion—entered this morning—to reconsider the vote by which Senator Field's amendments were adopted.

On motion of Senator Field,

Further consideration of the bill was postponed till to-morrow, after morning call.

The President submitted the

GENERAL APPROPRIATION BILL

as the pending business.

STATE DEPARTMENT.

Senator McDonald moved to

Amend after the words "salary of assistant clerk," in line 4, under title of State Department, "salary of sales clerk, twelve hundred dollars, twelve hundred dollars."

Adopted.

COMPTROLLER'S DEPARTMENT.

Senator Upshaw moved to

Amend line 9, by inserting "three corresponding clerks at four thousand two hundred dollars" instead of "two

corresponding clerks at two thousand eight hundred dollars."

Adopted.

Senator Townsend moved to

Insert at end of Comptroller's department, "traveling expenses incurred in examination of accounts of sheriffs and collectors, accounts to be itemized and sworn to five hundred dollars, five hundred dollars.

Adopted.

GENERAL LAND OFFICE.

Senator Glasscock moved to

Amend line 17 by striking out "one thousand two hundred dollars" where it appears and insert "one thousand five hundred dollars."

Senator Seale offered the following substitute for Senator Glasscock's amendment:

Amend line 17, page 4, (General Land Office) by striking out "twelve hundred dollars, twelve hundred dollars" and inserting "fourteen hundred dollars, fourteen hundred dollars."

The substitute was adopted for the amendment and as a part of the bill.

Senator Frank moved to

Amend by inserting between lines 31 and 32, page 5, the following: "Repairs on building to be used only if the Land Office is not moved to Capitol building, three thousand dollars."

Adopted.

Senator Pope moved to

Amend by fixing appropriation for salary of chief clerk of Land Office at two thousand dollars instead of eighteen hundred dollars.

Lost.

ATTORNEY-GENERAL'S OFFICE.

Senator Lane moved to

Amend line 2, Attorney-General's department, by striking out "eighteen hundred dollars" and insert "twenty-five hundred dollars" in each column.

Lost by the following vote:

YEAS—7.

Johnson,
Kimbrough,
Lane,
Pope,

Simkins,
Upshaw,
Woodward.

NAYS—16.

Abercrombie,
Allen,
Burgess,
Burney,
Claiborne,
Cranford,
Field,
Finley,

Frank,
Glasscock,
Ingram,
Jarvis,
McDonald,
Seale,
Townsend,
Tyler.

Senator Harrison was excused from voting on the amendment.

Senator McDonald moved to Amend line 3 by striking out "office" and inserting "legal."

Adopted by the following vote:

YEAS—13.

Abercrombie,
Allen,
Burgess,
Cranford,
Harrison,
Jarvis,
Johnson,

Maetze,
Pope,
Townsend,
Tyler,
Upshaw,
Woodward.

NAYS—11.

Burney,
Claiborne,
Field,
Finley,
Frank,
Glasscock,

Ingram,
Kimbrough,
Lane,
Seale,
Simkins.

Senator McDonald moved to Amend by striking out "assistant" and inserting "clerk."

Adopted.

Senator Burney moved to

Amend line 3, by striking out "two thousand five hundred dollars" and insert "one thousand eight hundred."

Lost by the following vote:

YEAS—5.

Burney,
Claiborne,
Field,

Finley,
Lane.

NAYS—18.

Abercrombie,
Allen,
Burgess,
Cranford,
Frank,
Glasscock,
Ingram,
Jarvis,
Johnson,

Kimbrough,
McDonald,
Pope,
Seale,
Simkins,
Townsend,
Tyler,
Upshaw,
Woodward.

Senator Harrison was excused from voting on the amendment.

DEPARTMENT INSURANCE, STATISTICS, ETC.

Senator Allen offered the following amendment:

In line 15, instead of "twenty-five thousand dollars, insert thirty-five thousand dollars."

Adopted by the following vote:

YEAS—13.

Allen,	Kimbrough,
Burges,	Lane,
Burney,	Pope,
Field,	Seale,
Frank,	Simkins,
Glasscock,	Townsend.
Ingram,	

NAYS—11.

Abercrombie,	Johnson,
Clalborne,	McDonald,
Cranford,	Tyler,
Finley,	Upshaw,
Harrison,	Woodward.
Jarvis,	

Senator Kimbrough moved to Amend by inserting, "to print agricultural reports, three thousand dollars, three thousand dollars."

Adopted.

Senator Kimbrough moved to Amend by inserting, "for book cases and shelving, one thousand dollars."

Adopted.

Senator Kimbrough moved to Amend line 10, by striking out "one thousand two hundred dollars, one thousand two hundred dollars" and insert "one thousand five hundred dollars, one thousand five hundred dollars."

Senator Lane offered the following amendment to the amendment:

Amend by adding "chief" before the word "agriculture."

On motion of Senator Townsend the amendment and the amendment to the amendment were tabled by the following vote:

YEAS—14.

Abercrombie,	Ingram,
Burney,	Jarvis,
Clalborne,	McDonald,
Field,	Pope,
Finley,	Seale,
Frank,	Simkins,
Harrison,	Townsend.

NAYS—10.

Allen,	Kimbrough,
Burges,	Lane,
Cranford,	Tyler,
Glasscock,	Upshaw,
Johnson,	Woodward.

COMMISSION OF APPEALS.

Senator Johnson moved to Insert at the end of commission of

appeals, "for sheriffs' attendance on court, three hundred dollars, three hundred dollars."

Senator Harrison moved to

Amend amendment by striking out "three hundred dollars, three hundred dollars" and inserting "one hundred and fifty dollars, one hundred and fifty dollars."

Senator Townsend moved to table the amendment to the amendment.

Lost by the following vote:

YEAS—11.

Allen,	Ingram,
Burney,	Jarvis,
Clalborne,	McDonald,
Field,	Seale,
Finley,	Townsend.
Frank,	

NAYS—12.

Abercrombie,	Kimbrough,
Burges,	Lane,
Cranford,	Pope,
Glasscock,	Simkins,
Harrison,	Tyler,
Johnson,	Upshaw.

ABSENT—1.

Woodward.

The amendment to the amendment was adopted by the following vote:

YEAS—16.

Abercrombie	Ingram,
Allen,	Jarvis,
Burney,	Kimbrough,
Clalborne,	McDonald,
Field,	Townsend.
Finley,	Tyler.
Frank,	Upshaw,
Harrison,	Woodward.

NAYS—8.

Burges,	Lane,
Cranford,	Pope,
Glasscock,	Seale,
Johnson,	Simkins,

The amendment as amended was adopted by the following vote:

YEAS—13.

Abercrombie,	Kimbrough,
Burges,	Lane,
Cranford,	Pope,
Glasscock,	Simkins,
Harrison,	Tyler,
Ingram,	Upshaw.
Johnson,	Woodward.

NAYS—10.

Allen,
Burney,
Claiborne,
Field,
Finley.

Frank,
Jarvis,
McDonald,
Seale,
Townsend.

COURT OF APPEALS.

Senator Frank moved to
Amend page 7, under the head of
Court of Appeals, by adding between
lines 6 and 7 the following in each
line:

"Record books and stationery, seven
hundred and fifty dollars, seven hun-
dred and fifty dollars."

Adopted.

Senator Frank moved to

Amend page 8, line 11, near top of
page, by striking out "three hundred,"
in each line and inserting therefor the
following: "Five hundred and forty
dollars, five hundred and forty dol-
lars."

Lost.

JUDICIAL DEPARTMENT.

Senator McDonald moved to
Amend by striking out line 12 and
13.

Adopted.

Senator McDonald moved to

Amend under head of judicial de-
partments by adding thereto at the
end the following: "Salaries of Su-
preme Court and Court of Appeals re-
porters six thousand dollars, six thou-
sand dollars."

Also "printing, binding and electro-
typing reports, seven thousand five
hundred dollars, seven thousand five
hundred dollars, to be paid on vouch-
ers, approved by the Printing Board."

Adopted.

SUPERINTENDENT PUBLIC BUILDINGS
AND GROUNDS.

Senator Upshaw moved to
Amend line 2 by inserting "two thou-
sand dollars instead of one thousand
five hundred dollars."

Adopted by the following vote:

YEAS—18.

Abercrombie,
Allen,
Burges,
Burney,
Cranford,
Field,
Glasscock,
Harrison,
Ingram,

Jarvis,
Lane,
McDonald,
Seale,
Simkins,
Townsend,
Tyler,
Upshaw,
Woodward.

NAYS—4.

Claiborne,
Finley,

Frank,
Kimbrough.

ABSENT—2.

Johnson,

Pope.

Senator Tyler moved to reconsider
the vote by which the third committee
amendment, in this department, was
adopted.

Adopted.

Senator Upshaw offered the follow-
ing substitute for the committee
amendment:

Amend line 10 by inserting "four
watchmen at six hundred dollars," in-
stead of "two watchmen at twelve
hundred dollars each."

The substitute was adopted for the
committee amendment and as a part
of the bill.

PENSION DEPARTMENT.

Senator Simkins moved to
Amend Pension Department by in-
serting the name of "Sam L. Cham-
bliss, 1890, one hundred dollars; 1891,
one hundred dollars."

Adopted.

On motion of Senator Pope,
The Senate adjourned until 10
o'clock to-morrow morning:

FIFTY-THIRD DAY.

SENATE CHAMBER,
AUSTIN, March 14, 1889.

Senate met pursuant to adjourn-
ment.

Lieutenant-Governor Wheeler in
the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator McDonald,

The reading of the Journal of yes-
terday was dispensed with.

On motion of Senator McDonald,

Senator Armistead was excused till
to-morrow, on account of important
business.

PETITIONS AND MEMORIALS.

By Senator Townsend:

Petition of citizens of Waelder, fav-
oring a State Board of Health.

Referred to Committee on Public
Health.